

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, February 21, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr., G. Patrick Heffernan, Randall L. Hughes, II, Barbara B. Rutt, Dr. Terry M. Whittaker and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education; David Blowman, Deputy Secretary of Education; Karen Field Rogers, Associate Secretary for Financial Reform and Resource Management; and Dr. Susan Haberstroh, Associate Secretary, College and Workforce Readiness.

Attending portions of the meeting in conjunction with agenda items: Dan Shelton, Christina School District; Tina Huff, Capital School District; Darren Guido, Capital School Districts; Byron Murphy, Red Clay Consolidated School District; Merv Daugherty, Red Clay Consolidated School District; M. Lynn Brown, Woodbridge School District; Heath Chasanov, Woodbridge School District; Clifton Hayes, New Castle County Vo-Tech District; Vicki Gehrt, New Castle County Vo-Tech District; G. Scott Reihm, Delaware Association of School Administrators (DASA); Charlie Michels, Professional Standards Board (PSB); John Hindman, Deputy Attorney General; Duncan Smith, Alison Procopio, College Board, Mary Kate McLaughlin, John Carwell, Brook Hughes, Chantel Janiszewski, Patricia Bigelow, John Sadowski, Deb Hansen, and Alison Kepner,.

Also attending: Catherine Hickey, Deputy Attorney General; Deb Stevens, Delaware State Education Association (DSEA); Susan Francis, Delaware School Boards Association; Kendall Massett, Delaware Charter School Network; Bob Smith, Ren Learn; Amber Cooper, Budget Office, Leighann Hinkle, Budget Office, Jeanne Chiquis, ACS, Steven Quimby, Pencader Charter School, Barry Willoughby, Pencader Charter School, Melissa Hopkins, Rodel Foundation, Jemuel K. Anderson, Pencader Charter School, MacAdoo Harrison-Dixon, Pencader Charter School.

### **Call to Order**

Vice President Melendez presided over the monthly meeting and called the meeting to order at 1:01 p.m. He welcomed all guests to the State Board's monthly public meeting.

### **Approval of Agenda**

The first order of business was approval of the agenda. Mr. Melendez requested a change in the agenda order in that the action items for the Professional Standards Board would switch with the AP Scores Report presentation which would now be after the charter school items. A motion was made by Mr. Coverdale to approve the amended change. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

A motion was made by Mrs. Rutt to approve the agenda as amended. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

### **Approval of Minutes**

#### Regular Meeting- January 17, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. A motion was made by Mr. Hughes to approve the minutes of the State Board regular meeting held on January 17, 2013 as presented. The motion was seconded by Mr. Coverdale and carried with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

## **Formal Public Comment**

It was indicated that this was the time the Board set aside for formal public comment. Mr. Melendez announced that no individuals signed up to address the State Board.

## **State Board Business**

### **Committee Reports from State Board Members**

Mrs. Rutt attended the DSBA Board of Directors meeting. She also represents the State Board on the Gifted and Talented Task Force and attended a meeting that discussed how to identify students for gifted and talented programs.

Mr. Coverdale attended the Lego event at Elbert-Palmer Elementary School.

Mr. Heffernan attended the charter working group meeting that is reviewing charter school laws. Recommendations will be presented at a February 28<sup>th</sup> public meeting. Mr. Heffernan also participated in the webinar on Digital Learning Day noting that the Board's Executive Director Ms. Johnson was a presenter.

Dr. Whittaker attended the February 13<sup>th</sup> public hearing on Pencader Charter School.

Mr. Melendez also attended the February 13<sup>th</sup> public hearing on Pencader Charter School.

Ms. Johnson noted the items for review on eBoards. She stated that Board members were invited to the February 28<sup>th</sup> public meeting on recommendations for charter regulations and the March 23<sup>rd</sup> Common Ground for the Common Core professional development session. She shared a Wall Street Journal article on how students without internet access are finding other avenues to access the internet including local McDonald's and Starbucks to do their homework and highlighted Delaware Center for Education Technology (DCET) Digital Learning Day.

Ms. Johnson was a member of the Delaware team that attended a conference sponsored by Achieve and EDI preparing for release and the adoption of the Next Generation Science Standards. She will share highlights of the conference at an upcoming retreat session.

## **Secretary's Report, Review and Discussion**

Secretary Murphy highlighted the feedback that has been received on DPAS II and Component 5 implementation focusing on what went well, what needs work and what needs to change. The feedback has been positive and will be used to make the process better. He noted that Components 1 through 4 are also being reviewed.

## **Administrators of the Year**

The State Board of Education and Secretary Murphy recognized Delaware's Administrators of the Year which were announced by the Delaware Association of School Administrators (DASA) for Delaware's Principals and Assistant Principals of the Year winners. The National

Distinguished Principals program honors outstanding elementary and middle-level administrators who ensure that America's children acquire a sound foundation for lifelong learning and achievement. The program was established in 1984 to recognize and celebrate elementary and middle-level principals who set high standards for instruction, student achievement, character, and climate for the students, families, and staffs in their learning communities. Governor Markell honored the recipients at an October ceremony proclaiming October as Principal's Recognition Month.

The honorees were:

- Dr. Daniel C. Shelton, principal at Jennie E. Smith Elementary School in the Christina School District, as the NDP Elementary Principal of the Year.
- Dr. Darren T. Guido, principal of Central Middle School in the Capital School District as the Middle Level Principal of the Year for Delaware. Assistant Superintendent Tina Huff was also in attendance.
- Mr. Byron G. Murphy, principal of John Dickinson High School in the Red Clay Consolidated School District as the Secondary Principal of the Year for Delaware. Joining Mr. Murphy was district superintendent Merv Daugherty.
- Mr. Clifton W. Hayes, assistant principal at Howard High School of Technology in the New Castle County Vocational School District as the Secondary Assistant Principal of the Year for Delaware. Vicki Gehrt, District Superintendent was also present.
- Mrs. Margaret Lynn Brown, assistant principal at Woodbridge Elementary School as Delaware's Elementary Assistant Principal of the Year. Woodbridge District Superintendent Heath Chasanov also attended.

Mr. Melendez presented each administrator of the year with the State Board's Order of Excellence and an iPad portfolio case from the State Board. Secretary Murphy presented the Secretary's Merit Award. Congratulations were extended. Also present for the recognition was G. Scott Reihm, Executive Director of the Delaware Association of School Administrators.

Mr. Melendez stated that all of these programs annually recognize outstanding school instructional leaders who have succeeded in providing high-quality learning opportunities for students

### **Update on Implementation of the Omnibus School Safety Act**

Board member R.L. Hughes who also serves as the Deputy Principal Assistant for the Office of Homeland Security provided an update on the implementation of the Omnibus School Safety Act and efforts to improve school safety. Senate Bill 233 or the Omnibus School Safety Act was signed by Governor Markell in September 2012. It calls for a formal statewide framework for comprehensive school safety plans for 220 public schools in the state. The Act called for compliance by 2017 but the Governor has asked that the timeline be changed to two years in lights of recent events. Each school shall create a school safety team and develop and submit a school-specific comprehensive school safety plan. Mr. Hughes stated that the Department of State and Homeland Security has contracted with the firm Dellose and DiFonzo to begin the initial phase of implementation. The Board was reminded that the plan addresses many incidents not just an act of violence at a school. It includes a roof collapsing or the school being used as a

shelter. He complimented the Red Clay Consolidated School District as they are already a national certified NIMS Certified district. National Incident Management System (NIMS) is a program tool developed by the Federal Emergency Management Agency (FEMA). Each school safety team should also know what chemicals are in the schools and collect other data. The teams can also look for vulnerable gaps while developing their plans and make adjustments to eliminate risks.

# Professional Standards Board

Charles Michels, Executive Director of the Professional Standards Board, presented the PSB items on the agenda.

### 1550 Agriscience Teacher (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1550 AgriScience Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). This regulation is being reviewed under a five year cycle. One small change has been deemed necessary to update language and to delete the reference to the Limited Standard Certificate which no longer is valid. This regulation sets forth the requirements for an AgriScience Teacher. No comments have been received.

A motion was made by Mr. Heffernan to approve the amended Regulation 1550 AgriScience Teacher, as presented. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:                      Nays:

Mr. Melendez	None.
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

## 1551 Business Education Teacher (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1551 Business Education Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). This regulation is being reviewed under a five year cycle. One small change has been deemed necessary to update language and to delete the reference to the Limited Standard Certificate which no longer is valid.

This regulation sets forth the requirements for a Business Education Teacher. No comments have been received.

A motion was made by Mr. Coverdale to approve the amended Regulation 1551, Business Education Teacher, as presented. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes: Nays:

Mr. Melendez	None.
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

1554 Family and Consumer Sciences Teacher (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1554 Family and Consumer Sciences Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). This regulation is being reviewed under a five year cycle. Small changes have been deemed necessary to update language and to delete the reference to the Limited Standard Certificate which no longer is valid. This regulation sets forth the requirements for a Family and Consumer Sciences Teacher. No comments have been received.

A motion was made by Dr. Whittaker to approve the amended Regulation 1554, Family and Consumer Sciences Teacher, as presented. The motion was seconded by Mr. Hughes and carried unanimously with the following vote recorded:

Ayes: Nays:

Mr. Melendez	None.
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

The Board signed the appropriate Order.

1555 Marketing Education Teacher (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1555 Marketing Education Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). This regulation is being reviewed under a five year cycle. Small changes have been deemed necessary to update language and to delete the reference to the Limited Standard Certificate which no longer is valid. This regulation sets forth the requirements for a Marketing Education Teacher. No comments have been received.

A motion was made by Mr. Coverdale to approve the amended Regulation 1555, Marketing Education Teacher, as presented. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

None.

The Board signed the appropriate Order.

1557 Technology Education Teacher (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1557 Technology Education Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). ). This regulation is being reviewed under a five year cycle. Small changes have been deemed necessary to update language and to delete the reference to the Limited Standard Certificate which no longer is valid. This regulation sets forth the requirements for a Technology Education Teacher. No comments have been received.

A motion was made by Dr. Whittaker to approve the amended Regulation 1557, Technology Education Teacher, as presented. The motion was seconded by Mr. Heffernan and carried unanimously with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

None.

The Board signed the appropriate Order.

1591 School Principal and Assistant Principal (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1591 School Principal and Assistant Principal. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to amend this regulation in order provide research-based pathways to certification for school building leaders. This regulation sets forth the requirements for a School Principal or an Assistant Principal. Mr. Michels noted that the amended regulation was published in the fall and no comments have been received. He highlighted the amendments which included increasing the years of experience and changing the course count for certification to a course of study. During discussion prior to the vote, Mrs. Rutt and Mr. Hughes asked for clarification on the changes to the regulation regarding years of service increases and required residency programs. Mr. Michaels explained that the regulation proposed to increase years of teaching experience from 3 to 5 years for certification. The regulation also removed the existing course count and replaced it with options that included the traditional educational leadership path as well as new certification programs that could be approved under Regulation 1595. He outlined that the residency or internship programs for those certification programs are outlined in 1595 and that currently institutes of higher education are also shifting toward more clinical experience in their teacher and leader preparatory programs as well. Mrs. Rutt expressed that she was concerned that this regulation took on the responsibility of establishing the minimum number of years of experience for the position and believed that should be placed on the hiring body and not the regulatory body. Mr. Coverdale asked about the ability for exceptions to this experience requirement and Mr. Michaels explained that in the regulation it allows for the Secretary of Education to approve candidates for certification with less than the required years of experience upon appeal to his office, this is outlined in Regulation 1505.

A motion was made by Mr. Heffernan to approve the amended Regulation 1591 School Principal and Assistant Principal, as presented. The motion was seconded by Dr. Whittaker and carried with the following voice vote recorded:



Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Dr. Whittaker

Mr. Hughes  
Mrs. Rutt

The Board signed the appropriate Order.

1592 School Leader I (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1593 School Leader II. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to amend this regulation in order to upgrade the requirements' rigor and to build upon the amended pathways to certification for school building leaders in DE Admin. Code 1592 School Principal, and district level leaders in DE Admin. Code 1592 Certified Central Office Personnel. This regulation sets forth the requirements for Superintendent. Mr. Michels noted that no comments were received.

A motion was made by Mr. Heffernan to approve the amended Regulation 1592 School Leader I, as presented. The motion was seconded by Mr. Coverdale and carried with the following voice vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Dr. Whittaker

Mr. Hughes  
Mrs. Rutt

The Board signed the appropriate Order.

1593 School Leader II (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1593 School Leader II. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to amend this regulation in order to upgrade the requirements' rigor and to build upon the amended pathways to certification for school building leaders in DE Admin. Code 1592 School Principal, and district level leaders in DE Admin. Code 1592 Certified Central Office Personnel. This regulation sets forth the requirements for Superintendent.

A motion was made by Mr. Coverdale to approve the amended Regulation 1593 School Leader II, as presented. The motion was seconded by Mr. Heffernan and carried with the following voice vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Dr. Whittaker

Mr. Hughes  
Mrs. Rutt

The Board signed the appropriate Order.

1595 Certification Programs for Leaders In Education (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to adopt regulation DE Admin. Code 1595 Certification Programs for Leaders in Education. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to adopt this regulation in order to define and set out the parameters for additional programs for Delaware leaders in education. This regulation sets forth the requirements for Certification Programs for Leaders in Education.

A motion was made by Mrs. Rutt to approve the amended Regulation 1595 Certification Programs for Leaders in Education, as presented. The motion was seconded by Mr. Coverdale and carried with the following voice vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mrs. Rutt  
Dr. Whittaker

Mr. Hughes

The Board signed the appropriate Order.

The State Board took a brief recess from 2:00 p.m. to 2:09 p.m.

## **Charter Schools**

John Carwell, Director of the Charter Schools Office, presented the charter school items.

### Decision on Formal Review for Pencader Business and Finance Charter High School

Mr. Carwell began by providing some background information on Pencader Charter School. The school opened in September 2006 for Grades 9-12 and is authorized to enroll 625 students. The school's current enrollment is 409 students. The school is currently on probation for its third formal review. In September, the charter was again placed on formal review due to new concerns with Board governance and administration; student performance, serving students with special needs; and economic viability. The charter office attended a number of Pencader board meetings during the summer to monitor the governance and administrative processes. Mr. Carwell noted that these visits only served to confirm the Department's reservations.

The Charter School Accountability Committee focused its review on the following statutory criteria:

- Criterion 1: Governance & Administration
- Criterion 3: Mission, Goals, Educational Objectives
- Criterion 6: Educational Program and Student Performance
- Criterion 7: Serving Students with Special Needs
- Criterion 8: Economic Viability
- Criterion 9: Administrative and Financial Operations

An initial meeting was held with representatives from the school in October where the Committee asked the representatives questions pertaining to the criteria. The Accountability Committee convened in November for the Preliminary Meeting and the preliminary recommendation was to revoke the charter pending the Committee's review of documentation the school was required to submit in response to the Committee's Preliminary Report which recommended revocation of the charter.

Mr. Carwell stated that the school's response to the preliminary report was ill-prepared and missed the opportunity for the new Board to demonstrate a marked shift from past governance practices. The response lacked concrete goals and objectives, contained significant inaccuracies in student performance data, and included a cut and paste description of a different school in its description of the school's MBA Research Curriculum. Mr. Carwell highlighted a few areas from the school's response to the final report as follows:

#### **Criterion 1 – Governance and Administration**

- The final report outlined 8 areas for which responses were required from the school. One area was fully addressed but most were partially addressed. For example; no reference to best practices of high performing charter schools with similar demographics. The

school's response referenced connecting with the Charter School of Wilmington, but did not reference any schools with similar missions or demographics.

- School Leader Recruitment Plan – the Pencader response did not include a detailed or specific school leader recruitment plan nor were budget implications considered.
- A new leadership structure was proposed but no budget was provided for the Accountability Committee to consider the budget implications.

#### Criterion 3 - Mission, Goals and Educational Objectives.

- The final report outlined 10 areas for which responses were required from the school. Most of the areas were minimally addressed or simply not addressed at all. For example; the Pencader response to the preliminary report contained inaccuracies in student performance data. The school provided no explanation for this nor a plan to address this capacity issue.
- The Pencader response showed the school as performing at a higher level than the State on DCAS assessments; however when the school's performance is compared to accurate State data, the State out-performed Pencader. This was not addressed in the Pencader response.

#### Criterion 6 – Educational Program

- The final report outlined 7 areas for which responses were required from the school. Most of the areas were minimally addressed or simply not addressed at all. For example; Vision Network participation – the Pencader response did not reference how the Vision Network complemented the MBA Research Curriculum.
- The school's response indicated that the issues which led to Formal Review had minimally impacted the students but the results of their own student and staff survey indicated otherwise. 71% of staff said they had observed difficulties that students had with changes at Pencader. 58% of the students said they felt the changes this year had interfered with their education.
- The Pencader response did not address the Committee's concerns regarding low pass rates (38.5%) for Advanced Placement (AP) tests.

#### Criterion 7 – Serving Students with Special needs

- This criterion was found to be met by the Accountability Committee. Therefore no response was required.

#### Criterion 8 – Economic Viability

- This criterion was found to be “met” during the Preliminary Meeting; however, in considering the implications of a new curriculum and organizational structure and school leader recruitment plan, the Committee had concerns about how these changes might impact the school's budget and imposed a condition.
- The final report outlined 4 areas for which responses were required from the school. The Pencader response did not address any of these areas. For example; the School's response did not describe how the new curriculum, organizational structure, the AVID program (Advancement Via Individual Determination), and summer programs will

impact the budget, the financial implications of litigation concerning special issues were not addressed and a revised budget was not provided.

Criterion 9 – Administrative & Financial Operations

- The final report outlined 3 areas for which responses were required from the school. The Pencader response minimally addressed these areas. For example; Student Recruitment Plan - The school's response outlined a short-term recruitment plan for this year. It included the same marketing strategies used in previous years. For the long-term plan, they listed (without citation) a set of strategies and processes excerpted from the Center for School Change's Minnesota Charter School Handbook. The plan did not include measurable goals and objectives.

Mr. Carwell noted that the overall the response by the school minimally addressed the concerns noted in both the Preliminary and Final Reports of the Charter School Accountability Committee.

Mr. Coverdale asked for clarification on the record regarding special needs and Criterion 7. Criterion 8, Economic Viability, and the conditions placed on that criterion at the final meeting were also addressed.

Mr. Carwell turned to Secretary Murphy for his decision on the formal review. Secretary Murphy made the following statement:

I would like to begin by thanking Mr. Carwell for outlining the process and details for us. I would also like to thank him – and the leaders and members of the accountability committee for their thoughtful work.

As I reviewed the entire public record -- including transcripts from both public hearings, other submitted comments and documentation and the accountability committee's reports -- I asked the question, is the school effectively providing for its students? More specifically, have student needs been met well in the past, are they being met well now, and will they be met well in the future? I have serious concerns about all three – present, past and future.

Starting with the present, I want to speak to the new Board's response to the concerns expressed by the Accountability Committee. The Accountability Committee's preliminary and final reports outlined a number of significant issues. These concerns included not only governance, management and administration issues, but also concerns around their educational program and student performance.

Mr. Carwell's earlier statements indicated that the school provided incomplete responses - and in many cases provided no response at all - to committee concerns. My review of the documents led me to the same conclusion. I find

that very concerning. Examples of incomplete responses included critical questions around student performance, the school's analysis of its own student data, the accuracy of those data, as well as course and curriculum concerns.

The school did not attempt to explain the numerous errors and misinterpreted data submitted in its response to the preliminary report. While the school's latest response restates language from the performance framework results that had been provided to the school on November 28 and again on January 11 with the final report, there was no analysis of this data nor were there any educational goals, outcomes or performance expectations articulated for the coming year. What this tells me is that we have no indication the school has improved its capacity to understand, use and analyze its own student data.

Other critical questions raised by the committee also were not addressed. For example, the response did not indicate Pencader has studied best practices at high-performing charter schools with similar missions or demographics. The school also has failed to adequately explain its plan to implement the MBA Research Curriculum, specifically: if it would be school-wide; the financial implications of implementation; or if the current teaching staff, given the release of several experienced business teachers in September, are trained or have plans to be trained in this curriculum.

The lack of quality responses to the committee's questions speaks directly to the ability of the school to provide a high quality and comprehensive educational experience for students

Next let me speak to the school's past. While the public record makes clear the intention of the school board to look to the future and not dwell on the past challenges and problems, it is important that we consider the current issues in full context. There have been problems for years, and these problems have had a negative impact on the educational experiences of our students.

Pencader has a lengthy track record of concerns and problems. This is the fourth time the school has been through the formal review process. And, the school is still on probation from the last formal review process. The problems addressed by the Accountability Committee do not stand alone. This is not a single year – or a single instance - of problems. They are a part of a lengthy narrative of a troubled school. And this narrative carries with it negative consequences for students.

I will not go into detail regarding the prior challenges the school has had delivering on its commitments to students. I will say that in light of that history, the responses provided by the school to the issues that are the subject of the current formal review are significantly lacking. They do not represent the leadership needed to develop and deliver on its single mission: a high quality education for its students.

So far, I have spoken about present concerns regarding the ability of the school to provide a high quality program for students, as well as concerns regarding the history of issues at this school. Finally, I would like to speak to the future and the serious concern of a lack of a strong plan for serving students. Pencader failed to seize the opportunity this process afforded to articulate a clear, quality plan for a path forward. I would have expected to see a plan with specific, measurable steps, goals and objectives to improve the school and the achievement of its students.

A few more examples that demonstrate this:

- The school's latest response outlined a short-term recruitment plan for this year, but it used the same marketing strategies used in previous years. For the long-term plan, the plan did not include measurable goals and objectives.
- A detailed school leader recruitment plan and answers as to how Pencader would address the funding structure changes needed to fund two school leaders instead of one and an assistant.

I would have expected to see high quality and comprehensive plans for these important aspects.

Additionally, Data submitted as part of the public record raises significant concerns around the academic performance of the school – and behind each of these data points are students, and families, who have expectations about the quality of education their children are receiving. Some examples include:

- The percentage of students meeting growth targets is 8 to 9 points below state average (Reading: 57% vs. 65%; Math: 51% vs. 60%)
- The percentage of students making sufficient growth toward proficiency is 17 to 19 points below the state average (Reading: 58% vs. 77%; Math: 61% vs. 78%)
- Additionally, when looking more broadly, school proficiency in reading and math is below the overall state average, 9 and 16 points respectively (Reading: 61% vs. 70%; Math: 56% vs. 72%)

In other words, the school is not currently providing an educational program that results in students meeting academic expectations as measured by the charter performance framework which the State Board adopted in regulation this past July. That framework is intended to support charter schools to lead the way in building a system of great schools.

Despite the challenges faced in regards to student achievement, I saw no articulation of student achievement targets. The school leadership appears to not have a solid understanding of the present state of the data. And finally,

after being provided with feedback concerning these issues, the school chose not to articulate a path forward for student performance. In short, they ignored the concerns expressed by the committee.

The Accountability Committee has determined that the school has failed to comply with its charter and satisfy, in its operation of the school, the criteria set forth in the charter law. Specifically, the school has failed to meet the following criteria:

- Criterion 1: Governance & Administration – NOT MET
- Criterion 3: Mission, Goals, Educational Objectives – NOT MET
- Criterion 6: Educational Program and Student Performance – NOT MET
- Criterion 9: Administrative and Financial Operations – NOT MET

I agree with the Committee's findings. In the interest of the students who are being served by the school, and based upon my review of the record, I have decided therefore to accept the recommendation of the Accountability Committee to revoke the charter of Pencader Business and Finance Charter High School and seek the assent of the State Board to revoke this charter.

Mr. Melendez explained that based on his review of the Charter School Accountability Committee's recommendation and the formal review record, the Secretary has decided that the school's charter should be revoked and is asking for the assent of the State Board.

A motion was made by Mr. Hughes that based on its review of the record in this matter, the Board assents to the Secretary's decision to revoke the charter of Pencader Business and Finance Charter High School. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes:

Nays:

Mr. Melendez  
Mr. Coverdale  
Mr. Heffernan  
Mr. Hughes  
Mrs. Rutt  
Dr. Whittaker

None.

Secretary Murphy explained that he realized this decision has serious implications for our families and students, and noted that was the foremost concern and attention as we facilitate the transitions they'll be making as they prepare for the coming school year. He stated that the Department would reach out to surrounding districts and facilitate the process around gathering information about the school options and the entry process. A meeting will be set up with parents



and students to be held next week, and additional meetings as needed to meet the families' needs. Secretary Murphy also announced a designated hotline number and email address that families can use to have their concerns addressed, or to get any assistance they need would be made available.

#### Modifications – Minor Modification Actions

Mr. Carwell briefed the Board on the following modification applications that were received:

- Applications to Modify an Existing Charter: East Side Charter School

The Board of Directors of this school submitted an Application to Modify the school's charter seeking to increase its enrollment by 5.2% for the 2013-14 school year. This modification falls within the range for a minor modification, as defined by 14 DE Admin. Code 275.9.9.1.4

- Applications to Modify an Existing Charter: Gateway Lab School

The Board of Directors of this school submitted an Application to Modify the school's charter seeking to delay expansion of grades 1 and 2 and maintain its current grade configuration (3-8) and enrollment (216) for 2013-14. This modification falls within the range for a minor modification, as defined by 14 DE Admin. Code 275.9.9.1.4.

- Applications to Modify an Existing Charter: MOT Charter School

The Board of Directors of this school submitted an Application to Modify the school's charter seeking to decrease its instructional days from 185 to 180 to provide additional professional development and teacher planning time to implement Common Core Standards. This modification falls within the range for a minor modification, as defined by 14 DE Admin. Code 275.9.9.1.7.

The Secretary has approved all three modifications.

#### Charter Schools Update

Mr. Carwell highlighted the charter schools update listing.

#### **AP Scores Report 2012**

Duncan Smith, Education Associate in Assessment introduced Alison Procopio from College Board. Ms. Procopio presented the State's AP test score data, a comparison to the nation, and additional supports for increasing college readiness in Delaware that are being supported through work with the College Board.

College Board is a not for profit membership organization committed to excellence and equity in education. Their mission is to connect students to college success and opportunity. Ms. Procopio stated that Delaware is one of two states that offer the SAT Test day. Delaware is also partnering with College Board on the PSAT, Advanced Placement (AP) courses and five districts

are participating in the Accuplacer. Accuplacer is a diagnostic assessment which can results in individualized intervention for either reading or math.

College Board shared Delaware's AP data noting that the number of public school students taking AP exams increased by 10.5% this past year compared to 6.4% for the nation. The number of exams also increased and there was a 9.1% increase in the number of Delaware public school students scoring a three or higher on the exams. As far as results go for AP exams, only 48% of Delaware's public school students score a 3 or better which is below the national average of 57%. The Board was presented with a listing of AP exams taken most frequently and their score distribution. English Literature and Composition lead the list, followed by Psychology. Ms. Procopio also presented a comparison of AP participation and performance for the Class of 2011 and Class of 2012. She noted the improved participation and performance of the Woodbridge School District. Mr. Hughes commended the Woodbridge School District for that achievement.

Secretary Murphy stated that College Board is a partner with the State and brings a wealth of resources. College Board has data that is available to assist in making curriculum and policy decisions and to provides data to analyze trends within the state. The Board asked that next year's data and information include charter schools in the graphics and mapping as well as incorporate the Student state ID number in order to better analyze longitudinal data.

### **Adjournment**

There be no further business, a motion was made by Mr. Coverdale to adjourn the meeting. The motion was seconded by Dr. Whittaker and carried unanimously. The meeting adjourned at 2:57 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary  
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at: <http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>